

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Medical & Health Department – Allegation of corruption against Sri S. Ramesh, Jr. Asst., Community Health Centre, Gooty, Anantapur district – Trapped by the A.C.B. officials on 16.04.2006 – Prosecuted – Convicted in the Court of Special Judge for SPE & ACB Cases, Hyderabad – Punishment of dismissal from service – Imposed – Orders – Issued.

HEALTH MEDICAL & FAMILY WELFARE (VC.I) DEPARTMENT

G.O.Ms.No. 68

Dated: 26-03-2010

Read the following:-

1. From the Director General, Anti Corruption Bureau, Hyderabad, Lr.Rc.No.81/RCT-ATP/2006, dated 16.11.2006.
2. G.O.Ms.No. 46, Health Medical & Family Welfare (VC.1) Department, dated 06.02.2007.
3. Judgment dated 10.11.2009 of the Addl. Spl. Judge for SPE & ACB Cases, City Civil Court, Hyderabad, in C.C. No. 29 of 2007.
4. Representation of Sri S. Ramesh, Jr. Assistant, CHC, Gooty, Anantapur district, dt. 01.02.2010

ORDER:

Sri S. Ramesh, Junior Assistant, Community Health Centre, Gooty, Anantapur district was trapped by the A.C.B. officials on 16.04.2006, when he demanded and accepted the bribe amount from the complainant for doing official favour. The Accused Officer was placed on suspension by the competent authority, pending initiation of disciplinary action. Having regard to the facts of the case and material made available, in the G.O. second read above, Government have accorded sanction for prosecution of Sri S. Ramesh, Jr. Assistant, in a Court of Law for the above said offences punishable under section 7, sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988.

2. The Additional Special Judge for SPE ACB Cases, City Civil Court, Hyderabad pronounced Judgment on 10.11.2009 in C.C.No. 29 of 2007, finding the Accused Officer Sri S. Ramesh, Jr. Assistant, guilty for the offences charged against him under Section 7 and section 13 (1)(d) read with Section 13 (2) of the P.C. Act, 1988 and convicting him under Section 248-(2) Cr.P.C. The A.O. was sentenced to undergo Rigorous Imprisonment for a period of 1 (one) year and he is also sentenced to pay a fine of Rs. 500/- (Rupees Five hundred only) and in default to undergo Simple Imprisonment for a period of 1 (one) month for the offence punishable under section -7 of the Act. Further, A.O. is sentenced to undergo R.I. for a period of 1 (one) year and also sentenced to pay a fine of Rs. 500/- (Rupees Five hundred only) and in default to undergo Simple Imprisonment for a period of 1 (one) month for the offence punishable under section 13 (1)(d) r/w Sec. 13 (2) of the Act. Both substantive sentences of imprisonment imposed on A.O. is ordered to be run concurrently. The Accused Officer has filed Criminal Appeal No. 1660 of 2009 against the judgment of the Trial Court. In its order dt. 24.11.2009 in CrI. M.P. No. 2722 of 2009 in CrI. Appeal No. 1660 of 2009, the Hon'ble High Court has suspended the sentence of imprisonment alone, pending disposal of the Criminal Appeal on the same terms and conditions imposed by the Trial Court.

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3. In the representation fourth read above, Sri S. Ramesh, Jr. Asst. has requested to continue him in service until the outcome of the Criminal Appeal pending in the High Court.

4. Government have examined the above matter and found that the misconduct that lead to the conviction on the Criminal Charge on the part of Sri S. Ramesh, Jr. Asst. The penalty that should normally be imposed in a case of proven bribery and corruption as per the first proviso of Rule 9 of A.P. Civil Services (CC&A) Rules, 1991 is dismissal or removal from service. Accordingly, and in terms of orders issued in G.O.Ms.No.2, General Administration (Services.D) Department, dated 04.01.1999, Sri S. Ramesh, Jr. Assistant is liable to be dismissed from service for having found guilty of the charges framed against him under section 13(2) read with section 13(1)(d) of Prevention of Corruption Act, 1988 and section 120-B, IPC and conviction. Further, in its order dated 17.11.2009, the Hon'ble High Court of A.P. in W.P. No. 8000 and Batch, affirmed the Government's power to impose punishment without waiting for decision in Criminal Appeal. Therefore, the request of the individual does not deserve any merit consideration.

5. Government therefore, in exercise of the powers conferred by the Rule-9 read with Rule 25 of the A.P. Civil Services (CC&A) Rules, 1991 hereby dismiss Sri S. Ramesh, Jr. Assistant,CHC, Gooty, Anantapur district from service with immediate effect.

6. The Commissioner, A.P. Vaidya Vidhana Parishad, shall take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**Dr. VIJAY KUMAR
EX-OFFICIO SECRETARY TO GOVERNMENT**

**To
Sri S. Ramesh, Jr. Asst.,
CHC, Gooty, Anantapur district
(through the Commissioner, A.P. Vaidya Vidhana Parishad,
Hyderabad).
The Commissioner, A.P. Vaidya Vidhana Parishad, Hyderabad.
Copy to:
The Director General, Anti-Corruption Bureau, Hyderabad.
The Secretary to Vigilance Commissioner,
A.P. Vigilance Commission.
SF.**

//FORWARDED: BY ORDER//

SECTION OFFICER